

November 29, 2002

**SPECIAL NOTICE**  
***concerning a NEW requirement for responsible persons***

**FROM: ATF's NATIONAL LICENSING CENTER**

**TO: ALL FEDERAL EXPLOSIVES LICENSEES AND PERMITTEES**

The Bureau of Alcohol, Tobacco and Firearms (ATF) is committed to keeping you informed of significant developments. In furtherance of this commitment, we have prepared this special notice containing information about the Safe Explosives Act (the Act), which was enacted on November 25, 2002. The Act changes the current procedure for the renewal of your explosives license and/or permit. It will also affect any pending or future applications you may submit. We hope you will find this special notice informative. You should have received the "Open Letter to All Federal Explosives Licensees and Permittees" outlining the general provisions of the Act. If you did not receive this letter, you may view it at ATF's website - <http://www.atf.treas.gov>.

**Certain Persons Prohibited from Shipping, Transporting, Receiving, or Possessing Explosive Materials**

Effective on January 24, 2003, the legislation expands the list of persons prohibited from possessing explosives to include: (1) aliens (with limited exceptions); (2) persons dishonorably discharged from the military; and, (3) citizens of the United States who have renounced their citizenship. Similarly, it will be unlawful to distribute explosives to these persons or to anyone currently prohibited from possessing explosives. Prohibited persons generally will be eligible to apply to ATF for relief from Federal explosives disabilities. ATF will be amending the existing regulations to include these prohibitions.

**New Requirement**  
**Federal Explosives License or Permit Application, RESPONSIBLE PERSON QUESTIONNAIRE**

Effective on January 24, 2003, ATF will require that all applicants who apply for a Federal explosives license and/or permit, or who renew an existing license and/or permit, submit with their application a completed ATF Form 5400.28, Responsible Person Questionnaire (RPQ), for EACH responsible person in their explosives business or operations. Attached please find the RPQ, along with your license or permit renewal application or request for an original application to obtain an explosives license or permit. If you do not receive the RPQ with your original or renewal application, or you do not receive enough forms for all your responsible persons, you may obtain additional forms from:

- ATF's Distribution Center - please call (703) 455-7801 to order.
- ATF's Distribution Center online order form - <http://www.atf.treas.gov/dcof/index.htm>.
- ATF's website (download in Adobe PDF format) - <http://www.atf.treas.gov/forms/index.htm>.

Each responsible person must *personally* complete the RPQ and certify that his/her answers are true, correct, and complete. A responsible person is an individual who has the power to direct the management and policies of the applicant's business pertaining to explosive materials. For example, responsible persons generally include explosives facility site managers. In the case of a corporation, association, or similar organization, responsible persons generally include officers and directors thereof, as well as stockholders who have the power to direct the applicant's management and policies.

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**Contact Numbers for Further Information**

If you need assistance in preparing ATF Form 5400.28, Responsible Person Questionnaire, please review the information concerning this form at <http://www.atf.treas.gov>, or contact the NLC at (404) 417-2750, or contact your local ATF office.

Sincerely yours,

/s/

John P. Malone  
Assistant Director  
(Firearms, Explosives and Arson)